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Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Joint written statement* submitted by the International Youth and Student Movement for the United Nations, non-governmental organization in general consultative status; Union of Arab Jurists, Arab Lawyers Union, Arab Organization for Human Rights, General Arab Women Federation, Indian Movement "Tupaj Amaru", International Organization for the Elimination of All Forms of Racial Discrimination, International Volunteerism Organization for Women, Education and Development - VIDES, Nord-Sud XXI - North-South XXI, Organisation Mondiale des associations pour l'éducation prénatale, Organisation pour la Communication en Afrique et de Promotion de la Cooperation Economique Internationale - OCAPROCE Internationale, United Towns Agency for North-South Cooperation, Women's International League for Peace and Freedom, non-governmental organizations in special consultative status; International Educational Development, Inc., International Human Rights Association of American Minorities (IHRAAM), non-governmental organizations on the roster

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[19 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Peaceful assembly and freedom of opinion, expression in Iraq*

The fundamental status of the Right to Freedom of opinion, expression and peaceful assembly is enshrined in the United Nations Universal Declaration of Human Rights and Article 19 of the Declaration that: *"[E]veryone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference[...]."*[1] Article 20(1) additionally protects the right for everyone to freedom of peaceful assembly and association, which in the case of Iraq is continuously violated by legal restrictions.

The International Covenant of Civil and Political Rights (ICCPR) furthermore specifies the rights to freedom of expression and opinion and the right to freedom of assembly in its Articles 19, 21 and 22. Article 21 most importantly highlights that *"[n]o restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others."*.

Peaceful assembly and demonstrations in Iraq

Iraq has been the scene of widespread peaceful demonstrations. Since December 2012 the peaceful protests continued and expanded to other regions in Iraq, uniting hundreds of thousands of participants and encompassing a wider range of demands, including the provision of basic services and the end of corruption and human rights violations.
In general, the demonstrations are a response to increased frustration with the general deteriorating conditions that Iraqis are forced to endure on a daily basis. The protests started through the discovery of the ill-treatment of female prisoners and continued with additional demands such as:

- to put an end to the application of the death penalty in the current context of lack of independence of the judiciary
- to stop applying the laws that has been used systematically against certin opponents or group of the Iraqi society[2]
- to cancel the Military Operation Commands in all Iraqi provinces and suppress all non-constitutional security apparatus, to withdraw the army from cities and residential areas in Iraq and to remove concrete barriers restricting the freedom of Iraqi people
- to ban the use of sectarian criteria as a basis for employment in State's institutions, and to ban the use of sectarian slogans and phrases in all state institutions as well as in the media and schools
- to stop conducting random night raids, arrests should happen at day-time and with respect to all legal standards
- to accelerate the formation of the Supreme Federal Court, to ensure the independence of the judiciary and standards of due process

Government's response to peaceful demonstrations

Despite the existing international norms and standards protecting freedom of assembly and expression, the government has responded to these peaceful protests with excessive violence.

Since the onset of the demonstrations in December 2012, and during previous protest campaigns, the Iraqi government has constantly referred to demonstrators as "terrorist". As early as 1 January 2013, the Prime Minister gave an interview in which he earned groups against continuing demonstrations.[3]

[1] UN Declaration on Human Rights available at http://www.un.org/en/documents/udhr/index.shtml#a19
[2] Among these law ar the so-called "accountability and justice" law, which is the extension of the "De-baathification" Law introduced into the Iraqi judicial system by the US occupying power in Iraq, has been used systematically as a tool to suppress political opposition and discriminate against large parts of the Iraqi society.
[3] The interview can be seen at: http://www.youtube.com/watch?v=q1ihgG2Tjlw&feature=youtu.be

On 18 August 2013, the Iraqi Prime Minister promised in a speech to end all demonstrations against the political processes in Iraq and declared that the government was capable of putting an end to any demonstrations in less than an hour. Additionally, a joint committee was established by the government in early 2013, responsible to investigate the demonstrators' demands, which ended up to this day in no results.

In August 2013, the Ministry of Interior stated that it was aware of the planned peaceful demonstrations however demanded the postponement while warning the organisers of possible "terrorist attacks" and the importance of national security. This pretext of alleged terrorist attacks has been continuously used to postpone, cancel or prohibit demonstrations as well as arbitrarily detain protesters and convict them on "terrorist charges".

Although Article 38, para.3 of the Iraqi constitution guarantees the right to freedom of assembly and demonstrations, the Ministry of Interior has yet to approve every request for any planned peaceful demonstration.

The UN Assistance Mission for Iraq (UNAMI) stated in a report released in August 2011, that "incidents of abuse and torture remain widely reported", and recommended to "ensure compliance by security forces, police and all officials engaged in law enforcement and justice with the requirements of international humanitarian law and human rights law in combating armed violence."[4] Significant problems still remain with law enforcement and the administration of justice, especially with regards to respect for due process and fair trial standards.[5] These recommendations go perfectly in line with the demonstrators' demands.

Furthermore, High Commissioner of Human Rights Navi Pillay has stressed in her opening speech to the 23rd session of the Human Rights Council that it was essential that the Iraqi Security Forces exert restraint in maintaining law and order during peaceful demonstrations.[6]

This is an important issue which is directly linked to the Anti-Terrorism Law No.13 of 2005, that permits the detention and punishment of those suspected of terrorist activities. This law is the main pretext for targeting and restricting peaceful protests. The use of counter-terrorism rhetoric has provided government authorities with the alleged reason to target, attack and arbitrarily arrest, detain and execute innocent civilians.

Media organisations and journalists who report on protests or advocated human rights are regularly further targets of politically motivated threats and attacks.

Demonstrations

On 4 and 7 January, 2013, Iraqi army officers opened fire on peaceful demonstrators in Mosul. The Governor of Nineveh province confirmed that security forces shot at demonstrators in an attempt to disperse them. Furthermore, civilians who simply attempted to reach the peaceful protests at Al-Ahrar square in Mosul were pursued and targeted by army officers.[7]

Further demonstrations have been regularly taking place in the Anbar region, including Fallujah. On 25 January 2013 a peaceful sit-in protest in Fallujah was interrupted by open fire from army forces, killing a total of 9 and injuring over 60 additional civilians. Witnesses claim that the security forces fired directly at the peaceful protesters, whereas the soldiers state that their shots were targeted into the air and unintentionally killed and injured demonstrators.

[4] UN News Centre available at http://www.un.org/apps/news/story.asp/www.wmo.int/www.iaea.org/html/realfile/story.asp?NewsID=39253&Cr=Iraq&Cr1=

[5] Ibid

[6] Navi Pillay (2013) http://reliefweb.int/report/syrian-arab-republic/opening-statement-un-high-commissioner-human-rights-navi-pillay-23rd

[7] Al-Jazeera video can be found at http://www.youtube.com/watch?v=6b0ybuS5hAQ&feature=youtu.be

One of the most tragic and violent cases of the government's restrictions on these fundamental rights of freedom of assembly and opinion was seen in April 2013 in Al-Hawija, during which around 200 protesters were killed, wounded or arrested.

Over a period of several days in April 2013, around 4000 peaceful demonstrators protested against the government's repeated disrespect for human rights in the Hawija/Kirkuk province in Iraq. At a certain point during the demonstrations, the protesters found themselves surrounded by armed governmental troops that prevented all access to food, water and medical aid. Access to all forms of media including journalists and news casters were also prevented and their equipment confiscated. The army and militias stormed the area and attacked the peaceful protesters who were authorised by the mayor of Kirkuk to hold these demonstrations.[8] An ambush was launched by army and SWAT forces, during which heavy and indiscriminate shootings, using live ammunition, tanks and helicopters, targeted the peaceful protesters and killed over 80 demonstrators and injured an additional 200 civilians. Forces were also reported to have attacked the injured and set fire to civilian vehicles.

This was not the first time that demonstrators have been subjected to threats, attacks and violence by Iraqi government forces. Since the onset of December 2012, demonstrators have been continuously harassed and targeted by government forces. The right of freedom to assembly has been strongly restricted in the name of fight against terrorism.

"*It's ironic that officials suggest that using force to block peaceful demonstrations will assist Iraq's 'march to democracy'. The authorities can ban demonstrations if they believe they will be violent, but here the concern seems that protests will be politically embarrassing or inconvenient.*"[9], the acting Middle East Director of Amnesty International, Joe Storck, commented on the government's reaction towards the planned demonstrations in August 2013.

In August 2013, Interior Ministry officials refused to issue permits for two concurrent groups organising demonstrations, without providing them a reason. Organizers of both demonstrations told Human Rights Watch that they are concerned that Iraqi security forces will use force to block what they said would be peaceful demonstrations, and may arrest and intimidate organisers should the planned demonstrations take place. [10]

Hundreds of civilians continue to be killed every month in violent attacks by armed groups across Iraq. Their perpetrators commit grave breaches of human rights, however this ongoing violence must not be used as a pretext by the government to restrict and prohibit peaceful demonstrations in any public space anywhere in the country. The right to freedom of assembly and expression must be protected under international human rights law and as set out in the Iraqi constitution.

In order to have an official justification to act against continuous peaceful demonstrations, the Iraqi Prime Minister thus declared protest camps as infiltrated by terrorists even if such claims were never proven to be true.

In December 2013, army troops launched an operation in the province of Anbar, where some Al-Qaeda camps are said to be located in the desert. Based on the fact that the majority of the population in the area has always been as much in the opposition to al-Qaeda as they had been against the occupation, several tribe leaders expressed their willingness to support this fight against the notorious terrorist organisation. Suddenly the army moved close to the cities and turned against the protesters, claiming that they were not just a place for recruiting terrorist but for sheltering them too.[11]

[8] http://www.nytimes.com/2013/04/24/world/middleeast/clashes-at-sunni-protest-site-in-iraq.html?pagewanted=all&_r=0

[9] Human Rights Watch (2013) available at http://www.hrw.org/news/2013/08/29/iraq-stop-banning-protests

[10] Human Rights Watch (2013) available at http://www.hrw.org/news/2013/08/29/iraq-stop-banning-protests

[11] Arab Centre for Research and Policy Studies (http://english.dohainstitute.org/release/05adf2f2-29bc-4b67-a115-b37a0476b365

According to information obtained by UNAMI from the Anbar Health Department stating that civilian casualties in January 2014 have been 140 killed and 660 injured.[12]

Iraq's legislation on demonstration permits

Iraqi law does not clearly state what authority regulates demonstrations, including granting permits. The Baghdad provincial council is authorised to issue permits for demonstrations in Baghdad under regulations that the previous governor issued in 2011.[13]

As a state party to the International Covenant on Civil and Political Rights (ICCPR), Iraq is obliged to protect and promote the rights to freedom of expression, association, and peaceful assembly and consequently, authorities may only restrict the right to assembly in exceptional and narrowly drawn circumstances. Iraq's granting of approval authority to government officials breaches the narrow criteria that international law prescribes for restricting the right to assembly. It furthermore breaches Article 38 of Iraq's constitution, which guarantees the right to "freedom of assembly and peaceful demonstration."

The ruthless military attacks against civilian demonstrators by the government forces are in serious violation of all fundamental human rights and must immediately be put to an end. The right to freedom of assembly and peaceful demonstration is a fundamental right that must be respected and promoted in national legislation.

Recommendation

The NGOs signatories to this statement recommend to

- The SR on the rights to freedom of peaceful assembly and of association and the SR on freedom of opinion to submit a detailed report to the HRC on the above mentioned violations
- Establish an independent international committee to investigate the HR situation in Iraq after 2003
- Appoint an UN Special Rapporteur on the HR situation in Iraq

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* BRussels Tribunal, Arab Lawyers Association- UK, Geneva International Centre for Justice (GICJ), Association of Humanitarian Lawyers (AHL), The International League of Iraqi Academics (ILIA), The Iraqi Commission on Human Rights (ICHR), Women Will Association (WWA), Organization for Widows and Orphans (OWO), Ikraam Center for Human Rights, Belgian Peace Movement, Ligue camerounaise des droits de l'homme, Monitoring Net of Human Rights in Iraq (MHRI), Women Solidarity for an Independent and Unified Iraq, Alliance to Renew Co-operation among Humankind, International Coalition against War Criminals (ICAWC), Medical Aid for the Third World, Association of Iraqi Diplomats (AID), The African Association of Human Rights (AAHR), Protection of Human Rights Defenders in the Arab World, Moroccan Association for the Right to a Fair Trial, Americans Against the War (France), General Federation of Iraqi Women (GFIW), The International Action Center (IAC), American Worker, Association of Iraqi Intellectuals and Academics, The International Network of Arab Human Rights NGOs, America In Solidarity, Federacion De Mujeres Cubanas, Association of Victims of American Occupation Prisons, International Anti-Occupation Network (IAON), International Lawyers.org, International Society of Iraqi Scientists, The Perdana Global Peace Foundation, Kuala Lumpur Foundation to Criminalise War, Spanish Campaign against the Occupation and for Iraq Sovereignty- CEOSI, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, El Taller International, World Courts of Women, Center for Development Studies- India, Wariscrime.org, Action Center for Justice, 1% A Peace Army.org, A Bigger Tent.org, Agir contre la guerre (France), American Voices Abroad (Berlin, Germany), American Voices Abroad Military Project (Europe), Anti War Fair, Arizona Christian Peacemakers,

[12] UNAMI (2014). Available at http://www.uniraq.org/index.php?option=com_k2&view=item&id=1594:un-casualty-figures-for-january-2014-anbar-province-excluded&Itemid=633&lang=en

[13] Human Rights Watch (2013). Available at http://www.hrw.org/news/2013/08/29/iraq-stop-banning-protests

Armbands for Peace, Arms Against War, Artists Against the War, Backbone Campaign, Be the Change, Become Active, Bike for Peace (Germany), Bill of Rights Defense Committee, Bird Dogger Org., Children of Iraq Association (UK),Bloomington Peace Action Coalition (IN), Blue State News Only, Boston Mobilization, Bring Democracy Back, Bring Them Home,Butterfly Gardeners Association, Citizens for Accountability on Iraq, California for Democracy, Camp Casey Blog, Camp U.S. Strike for Peace Campaign, Campaign Against Sanctions and Military Intervention in Iran, Canada Watch, Carolina Peace Resource Center (SC), Cartoon Free America, Catalysts of Hope, Central Colorado Coalition on the Iraq War, Chester County Peace Movement (PA), Cindy Sheehan Org., Cities for Peace, Citizens for Legitimate Government, Citizens for Peace & Justice, Human Rights for all-Morocco, Christian Clergy For Impeachment.com, Clothing of the American Mind, Coalition Against Election Fraud, Coalition for Impeachment Now (COIN), Code Pink, the Iraqi Association for Human Rights (IAHR), Al-Basa'er Media Association, Consumers for Peace.org, Dhafir Trial.org, DC Anti-War Network.org, Democracy Action, Democracy for America Meetup (Birmingham, AL), Olympia Citizens' Movement to Impeach Bush/Cheney (WA), One Million Reasons, Operation Cease Fire, Operation Impeachment, Orange County Grassroots (CA), Out of Iraq, Out of Iraq Bloggers Caucus, Patrick Henry Democratic Club, Patriotic Pulse, Patriots for Gore, Peace Action, Peace Action Wisconsin, Peace and Accountability, Peace Drum, Peace Majority, Peace Movement Aotearoa (New Zealand), Peace Reso.org, Peninsula Peace and Justice Center (Palo Alto, CA), People's Campaign for the Constitution, People Powered Impeachment, People's Email Network, People's Glorious Five Year Plan, Picnic to Impeach, Pixel4Peace.org, Playing in Traffic, PledgeToImpeach.org, Political Cooperative, Politics and Art, Progressive Action Alliance, Progressive Action Center, Progressive Avenues, Progressive Democrats of America, Progressive Democrats of Hawaii Project Filibuster, Project for the OLD American Century, Refusing to Kill.org, Rescue Our Democracy, Sacramento for Democracy (CA), St Pete for Peace (FL), Sampsonia Way, San Diego for Democracy, School of the Americas Watch, Sheehan for Congress, South Florida Impeachment Coalition, South Mountain Peace Action (Maplewood & South Orange, NJ), Springs Action Alliance (CO), Stop the War Coalition (UK), Students for Impeachment, Students Towards a New Direction (STAND), Summit County Progressive Democrats (OH), The Known UnKnowns, The Politically Incorrect Cabaret, The Rational Response Squad, Think Blue Dems, Time for Accountability, Toronto Coalition to Stop the War (Canada), Torture Abolition and Survivors Support Coalition International, True Blue Liberal.org, Trumansburg Impeachment (NY), Truth Empowered, Truthtelling Project, UC Nuclear, Underground Action Alliance, Unitarian Universalist Peace and Justice Group (Nantucket, MA), United Blue USA, United for Veterans (Wayne, MI), United Progressives, Upbeat Defiance, US Peace Memorial, US Tour of Duty: Iraq Veterans and Military Families Demand the Truth, Velvet Revolution, Vet Gulf March, Veteran Intelligence Professionals for Sanity, Veterans for Peace, Chapter 27, Virginia Grassroots Coalition, Voters for Peace, We the People for Peace, We the People Network, We the People Now, We The People United Bangladesh.org, Peace Surge, Peace and Justice Action League of Spokane (WA), Stop the War (UK), U.S. Peace Council, World Can't Wait.org, World Prout Assembly, Komite Internazionalista- Basque, Asociación Paz, Igualdad y Solidaridad Internacional, Arab Cause Solidarity Committee, Iraq Solidarity Association in Stockholm, Málaga, Spain, Stop Fascism Action Network, The Asian Jurists Centre, Association of Human Rights Defenders in Iraq (AHRDI), The African Center for Human Rights (ACHR), Veterans for Peace, Your Declaration of Independence.org , Arab Lawyers Network-UK, Conservative Centre of Environmental & Reserves in Fallujah (CCERF), Willie Nelson Peace Research Institute, Studies Centre for Human Rights and Democracy, The Iraqi Centre for Human Rights, Association internationale des droits de l'homme, NGO(s) without consultative status, also share the views expressed in this statement.

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Written statement* submitted by Amnesty International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[17 February 2014]

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Please recycle

The Bhopal tragedy: 30 years of injustice for victims and survivors

Summary

"The gas ruined our lives so badly that neither my husband or I could do any work...My first son developed TB at the age of 8 or 10, and the first daughter that he had was born with a disability...The people who struggle are mainly those who are poor and mainly women."

Hazra Bee, survivor of the Bhopal disaster.[1]

This year will mark the 30th anniversary of one of the world's worst industrial disasters: the toxic gas leak on 2 December 1984 from the Union Carbide India Limited (UCIL) factory in Bhopal, India. However, the negative consequences of the disaster have never been properly remedied and continue to undermine human rights. As the years go by, there is a real danger that the impetus for action will diminish and the rights of the victims and survivors will be forgotten. The fact that 30 years on there remains a failure to respect, protect and fulfil their rights reflects a significant failure of non-state actors, governments, and the international community.

Immediate action is required to address the impacts of the tragedy and its enduring legacy. Amnesty International urges the UN Human Rights Council, its expert mechanisms, its Members and observer states to draw attention to the ongoing negative human rights impacts of the Bhopal disaster. UN Special Procedures should call for concrete steps to be taken to remedy the ongoing environmental contamination and substandard living conditions which have contributed to 30 years of inter-generational health problems.

Amnesty International urges the Government of India to initiate an authoritative assessment and clean-up of the environmental contamination at the site and to support efforts of victims and survivors to secure justice. We also call on the Government of the United States to ensure that US-based companies comply with ongoing legal actions and to engage in bi-lateral efforts with the Indian government to remedy the consequences of the Bhopal disaster.

The gas leak and its long-term human rights impacts

On 2 December 1984, toxic gas containing deadly chemicals leaked from a storage tank at the pesticide plant in Bhopal, Madhya Pradesh. The plant, built close to densely populated slum areas, was owned and operated by UCIL which was majority owned by the US-based company Union Carbide Corporation (UCC).

The immediate impact of the gas leak on the human rights of the local population was devastating. It is estimated that between 7,000 and 10,000 people died within three days of the leak.[2] More than 570,000 people, many of whom are still suffering, were exposed to damaging levels of toxic gas.[3]

The gas leak's long term impact has been inter-generational. Tens of thousands of people continue to suffer severe long-term health problems, including children who were born to gas-affected parents. The health of women has been particularly affected.[4] The gas leak entrenched existing poverty and marginalization.

A compensation package agreed between the Government of India and UCC, approved by the Supreme Court of India in 1989, is seen by many, including Amnesty International, as highly inadequate.[5] The settlement was negotiated without participation of the affected communities and without a proper quantification of the full health and environmental impacts or the impact on livelihoods.

There have been numerous attempts to obtain justice through legal actions in India and the United States, some of which are ongoing. UCC has consistently refused to appear in India to face outstanding criminal charges of "culpable

homicide not amounting to murder". The Chief Judicial Magistrate's (CJM) Court in Bhopal has declared UCC to be an absconder from justice.[6]

In 2001, UCC was bought by The Dow Chemical Company (Dow). Despite holding 100% ownership, Dow has never compelled UCC to face the outstanding criminal charges against it. In July 2013, the company was itself summoned by the Bhopal CJM Court to explain why it has failed to ensure its subsidiary appears in court.

30 years on: the environmental disaster and on-going contamination

After being abandoned in the wake of the gas leak, the former UCIL site has continued to be a source of serious environmental pollution and has never been properly remediated. Contamination generated by plant operations and stockpiles of waste scattered in and around the plant premises have remained untreated or abandoned for decades.

The pollution has contaminated water and soil in the area, harming the rights to health and access to clean drinking water of people in the surrounding communities. Many persons not exposed to the gas leak developed health problems similar to persons who had been exposed, including cancers and reproductive health issues among women and girls.[7] Local activists and residents believe that this is due to contaminated drinking water. Since 2004, the Madhya Pradesh government has taken steps to provide fresh water; however, these measures came far too late and have been insufficient to meet the needs of the population.

Numerous studies have been conducted to assess the environmental contamination around the factory site. An analysis of 15 previous studies carried out in 2013 by the Centre for Science and Environment (CSE) found significant convergence, including consensus that soil at the site remains contaminated.[8] While most of the previous studies confirmed the presence of groundwater contamination, CSE found some variance among the findings. As such, CSE concluded that further conclusive assessment is required.

Given the gravity and uncertainties surrounding the ongoing impacts to health caused by the soil and water contamination, Amnesty International believes that there is an urgent need for an independent, authoritative body to undertake a comprehensive assessment of the extent of the on-going contamination at the Bhopal site, and to provide a detailed remediation plan.

Recommendations

The ongoing situation in Bhopal reflects a collective failure by non-state actors, governments and the international community.

Amnesty International urges relevant UN Special Procedures (including: the Independent Expert on Human Rights and the Environment; the Working Group on business and human rights; the Special Rapporteur on safe drinking water and sanitation; the Special Rapporteur on the right to health; and the Special Rapporteur on extreme poverty) to support efforts to obtain effective remedy for those affected by the ongoing human rights impacts of the disaster. This could be done by taking the following steps:

- In the lead up to the 30th anniversary of the disaster, publicly issue statements calling for tangible action to be taken to address the ongoing human rights issues;
- Conduct a visit to Bhopal to investigate the situation of affected communities, taking into account gender-differentiated impacts; and
- Support Amnesty International's recommendations to the Government of India, the State Government of Madhya Pradesh, and the Government of the United States, as outlined below.

Amnesty International urges Indian authorities to take urgent steps to redress decades of injustice experienced by survivors of the Bhopal gas leak and subsequent generations. The Government of India should:

- Invite an independent expert body to conduct an authoritative and comprehensive scientific assessment of the extent of environmental contamination at the Bhopal site and surrounding areas, and provide a detailed remediation plan .
- Act immediately in consultation with local communities to remove, analyse and dispose of toxic waste at the UCIL site once the pending decision by the Supreme Court of India is issued.
- Take all necessary steps to implement the order issued by the Bhopal CJM court summoning Dow to appear before it.

The State Government of Madhya Pradesh should:

- Strengthen the provision of clean drinking water, healthcare and health monitoring, economic rehabilitation, and pension support, to people in communities living near the Bhopal site, taking into account the different ways that women, men and children continue to be affected by the gas leak and environmental contamination.

Amnesty International also urges the Government of the United States to ensure that Dow and UCC respect outstanding legal processes, including the summonses to appear before the CJM Court in Bhopal, and respond positively to requests issued by the Government of India for assistance. We further urge the Government of the United States to engage in bi-lateral discussions with the Indian government to advance a concrete plan to clean-up the area around the UCIL site.

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[1] Amnesty International interview, 30 March 2012.
[2] Amnesty International, *Clouds of Injustice*, 29 November 2004, AI Index: ASA 20/015/2004, (*Clouds of Injustice*) p10.
[3] Bhopal Gas Tragedy Relief and Rehabilitation Department, *Annual Report 2003*, government of Madhya Pradesh.
[4] Unpublished study Rani Bang, *Effect of the Bhopal Disaster on Women's Health: An Epidemic of Gynecological Diseases*, 1985.
[5] The initial figure of 3,000 deaths used by the Supreme Court to calculate UCC's compensation amount has been significantly exceeded. Based on epidemiological figures reported by the Indian Council of Medical Research (ICMR), local advocate groups calculated the aggregate number of deaths during the period 1985-1993 to be 9,667. Since this figure did not include those who died in the days immediately following the disaster, the total death toll by 1993 was estimated at 12,167.
[6] *Bano v. Union Carbide Corporation and Warren Anderson* (No.99 Civ 11329 JFK) amended class action complaint.
[7] *Clouds of Injustice*, p26.
[8] Centre for Science and Environment, *Action Plan: Environmental Remediation in and around UCIL, Bhopal*, June 2013.